IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

TUESDAY, THE 25TH SEPTEMBER 2007 / 3RD ASWINA 1929

WP(C).No. 28103 of 2007(U)

PETITIONER:

ANIVIJAYAN, S/O. VIJAYAN, AGED 40 YEARS,
INDRAPRASTHAM, KOMANA, AMBALAPPUZHA P.O.,
ALAPPUZHA.

BY ADV. SRI.K.S.HARIHARAPUTHRAN
SRI.GEORGE MATHEW

RESPONDENTS:
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1. STATE OF KERALA,
REPRESENTED BY THE CHIEF SECRETARY,
THIRUVANANTHAPURAM.

2. DIRECTOR, MINING AND GEOLOGY DEPARTMENT,
THIRUVANANTHAPURAM.

3. GEOLOGIST, KERALA MINERAL SQUAD,
SOUTHERN REGION, KESAVADASAPURAM,
PATTOM PALACE P.O., THIRUVANANTHAPURAM.

4. S.I. OF POLICE,
KAZHAKKUTAM POLICE STATION, THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SRI.I.V.PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 27/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.
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W.P.(C) NO. 28103 OF 2007
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Dated this the 27th day of September, 2007

J U D G M E N T

The complaint of the petitioner is that the ordinary sand brought from Tamilnadu on the strength of Exts. P3 to P6 has been detained by the 3rd respondent. Petitioner has produced the aforesaid documents to show that the transportation was on the strength of a valid permit and therefore there was no justification in detaining the truck with the sand.

2. Learned Government Pleader on instructions would submit that although the petitioner was called upon to produce documents, only copies were produced and if originals are produced that will be considered and the matter will be re-examined.

3. In the circumstances, I dispose of this writ petition directing the petitioner to produce originals of the documents relied on by him before the 3rd respondent, in which event, the 3rd

respondent will re-examine the matter and take a final decision within one week thereafter.

Writ petition is disposed of as above.

ANTONY DOMINIC, JUDGE.

Rp